

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

TIFFANY EVELYN COOK,

Plaintiff,

v.

Case No. 6:20-cv-1197-RBD-DCI

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER

In this social security appeal, Plaintiff seeks review of the Commissioner of Social Security's ("Commissioner") decision to deny her supplemental security income payments. (Doc. 1.) Plaintiff argues the Administrative Law Judge ("ALJ") applied incorrect legal standards with respect to Dr. Rex Birkmire's opinion—Plaintiff's treating physician. (Doc. 19, pp. 3-5, 7-11.) On referral, U.S. Magistrate Judge Daniel C. Irick recommends affirming the Commissioner's decision, finding the ALJ's consideration of Dr. Birkmire's opinions comported with the requirements of the Social Security Regulations. (Doc. 20 ("**R&R**").)

No party objected to the R&R, and the time for doing so has now passed. Absent objection, the Court has examined the R&R only for clear error. *See Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at *1 (M.D.

Fla. Jan. 28, 2016); *see also Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006).

Finding none, the Court adopts the R&R in its entirety.

It is **ORDERED AND ADJUDGED**:

1. U.S. Magistrate Judge Daniel C. Irick's Report and Recommendation (Doc. 20) is **ADOPTED, CONFIRMED**, and made a part of this Order.
2. The Commissioner's final decision is **AFFIRMED**.
3. The Clerk is **DIRECTED** to enter judgment in favor of Defendant Commissioner of Social Security and against Plaintiff Tiffany Evelyn Cook and to close this case.

DONE AND ORDERED in Chambers in Orlando, Florida, on April 21, 2021.




ROY B. DALTON JR.
United States District Judge